

April 7, 2011

A meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 7th day of April, 2011 at 7:30 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. WalshSupervisor

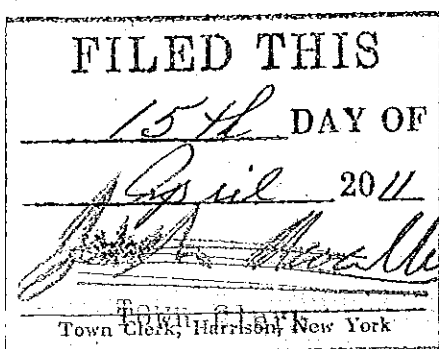
Joseph Cannella)
Fred Sciliano)
Patrick Vetere)Councilpersons
Marlane Amelio)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Jonathan Kraut Deputy Town Attorney
Anthony Marraccini Chief of Police
Maureen MacKenzie Comptroller
Anthony Robinson Commissioner of Public Works
Michael Amodeo Town Engineer
Michael Piccini Coordinator of Community Services
Nina Marraccini Director of Community Services
Ron Belmont Advisor to the Recreation Department

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April 7, 2011

2011 -- 102 -- a

UPDATES FROM SUPERVISOR WALSH
RE: FOOD PANTRY VIDEO SURVEILLANCE RELEASED

Supervisor Walsh opened the meeting with an update concerning the release of the videotapes containing surveillance footage related to the recent Food Pantry case. The footage was distributed to several news channels who in turn aired the footage during their news reports. The supervisor has questioned all involved with the case to determine who released the tapes to the news media channels. No person involved with the case has any knowledge as to who released the footage. The supervisor explained further that she will be consulting with the District Attorneys office to determine the legality of the tapes being released.

Roy Porto, resident, addressed the Board and questioned if the surveillance footage tapes will be available to the public to view perhaps online.

The supervisor referred the question to Town Attorney Frank Allegritti.

Mr. Allegritti responded by stating that request would have to be looked into.

Mr. Porto then questioned if the identities of the person or persons who released the video footage are discovered, would their identities be revealed to the public.

Supervisor Walsh responded by stating she would put the information in her weekly newspaper column.

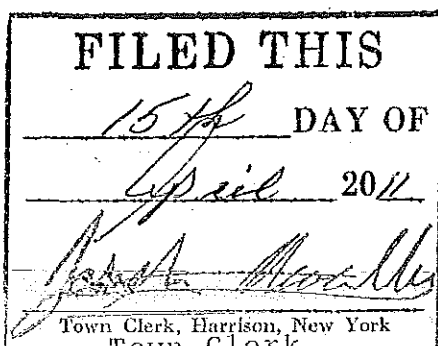
Lucille Held, resident, questioned Town Attorney Frank Allegritti whether it is true or not that a judge must first rule that a video surveillance camera be used during an investigation before such an action is taken. Mrs. Held further questioned if the supervisor was aware the camera was placed for an investigation.

Supervisor Walsh responded by stating she did not know ahead of time that the camera was placed for the surveillance but the Director of the Community Services Department, Nina Marraccini was made aware. As far as needing a judge's order to conduct a video surveillance, the supervisor directed that question to Mr. Allegritti.

Mr. Allegritti stated he would not answer any questions pertaining to this matter in public given the fact that this is an ongoing matter and not even on this evening's agenda.

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- ☒ Supvs'r



April 7, 2011

2011 - - 102 - - b

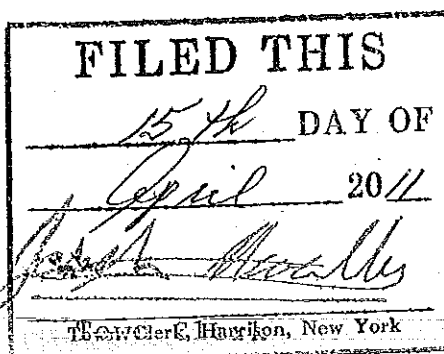
UPDATE BY SUPERVISOR JOAN WALSH
RE: I-287 CONSTRUCTION AND
THE ROCK QUARRY

The Supervisor continued her updates with the status of the ongoing I-287 construction. The town has received notice that the Main Street border of White Plains and West Harrison will be subject to closure on and off for the next two to three weeks while new sidewalks and curbing are being added. As a result of this construction the White Plains Dog Park will be completely closed during the week of April 10, 2011.

Lastly, the supervisor explained the current status of the Quarry matter in West Harrison. Because this is an ongoing legal matter the supervisor did not offer details except to say that today the Town Building Inspector issued six violations to the Quarry with the possibility of a seventh summons being filed in the coming days. The supervisor did not offer specifics on the violations except to state that there is a court day scheduled for these matters on April 28, 2011.

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April 7, 2011

2011 -- 103

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the following Correspondences and Reports:

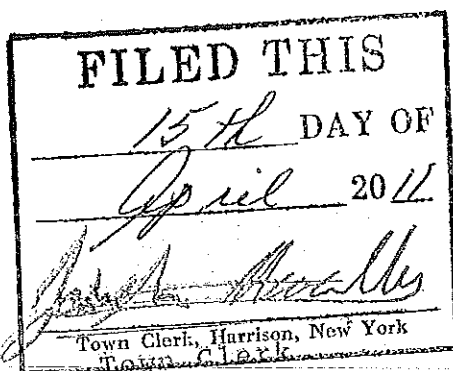
- 1a. Monthly report by the Commissioner of Public Works for February 2011.
- 1b. Monthly report by the Town Clerk for March 2011.
- 1c. Monthly report by the Receiver of Taxes for March 2011.
- 1d. Quarterly report by Harrison Librarian Carol Meehan for January, February and March of 2011.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None



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April 7, 2011

2011 - - 104 - -a
PUBLIC HEARING
RE: SPECIAL EXCEPTION USE PERMIT
FOR THE APAWAMIS COUNTRY CLUB

On motion of Councilman Vetere, seconded by Councilwoman Amelio, the Public Hearing was opened.

Kory Salomone, from the law firm of Veneziano & Associates who represents Apawamis Country Club addressed the Board and introduced Robert Stanzale, Architect for Apawamis Country Club who would speak on behalf of his client.

Mr. Stanzale presented the Board with a rendering of the Apawamis Country Club property as it stands today and another rendering of the proposed changes to the property. Mr. Stanzale explained the changes that would be made to the property.

Councilman Pat Vetere complemented the architects on the look of the proposed building and additions to the property.

Councilwoman Marlane Amelio questioned what the distance is from the point where the Country Club will build the new addition to the nearest neighbor.

Robert Aiello, from John Meyer Consulting, representing their client Apawamis Country Club responded by demonstrating on the renderings that 298 feet is the closest point between the proposed changes and the nearest neighbor and 390 feet is the farthest distance to the neighbor. Mr. Aiello further explained that his firm has been working with the closest neighbor, Mr. Mark Davis, to create additional screening for a thicker buffer zone between the two properties.

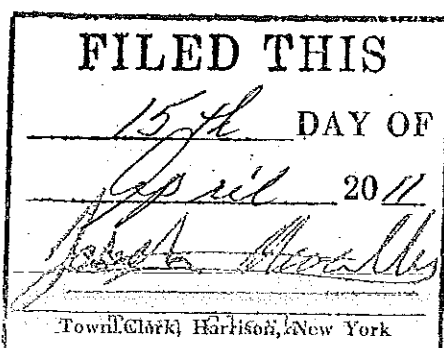
Rob Porto, resident, questioned why the club was requesting a Special Exception Use Permit for the project and what kind of an environmental impact it will have on the area.

Councilman Joseph Cannella explained that this proposal has already gone through the proper channels and it was determined that it will have no impact on the environment. In addition, the councilman further explained that all country clubs in town are subject to Special Exception Use Permits.

On motion of Councilman Vetere, seconded by Councilman Cannella, the Public Hearing was closed.

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April 7, 2011

2011 - - 104 - - b

APPROVAL OF A SPECIAL EXCEPTION USE PERMIT
FOR APAWAMIS COUNTRY CLUB

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the Special Exception Use Permit for The Apawamis Country Club, pursuant to Sections 235-14, 235-16 and 235-17 of the Zoning Ordinance of the Town of Harrison for the expansion of the existing maintenance garage on property owned by The Apawamis Country Club.

FURTHER RESOLVED to forward a copy of this Resolution to Planning and Zoning Board, the Building Department and the Town Attorneys.

Adopted by the following vote:

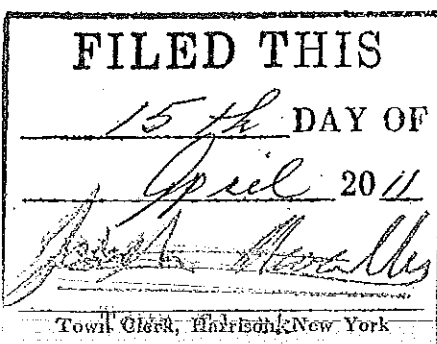
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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April 7, 2011

2011 - - 105

APPROVAL FOR AUTHORIZATION TO HIRE ONE (1) PART TIME EMPLOYEE IN THE
HIGHWAY DEPARTMENT, EFFECTIVE MONDAY, APRIL 11, 2011 AT AN HOURLY
RATE OF \$11.00 AND A TOTAL OF FOUR (4) PART-TIME EMPLOYEES IN THE PARKS
AND GTB DIVISION, EFFECTIVE MONDAY, APRIL 11, 2011,
AT AN HOURLY RATE OF \$11.00.

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Commissioner of Public Works, Anthony Robinson, for authorization to hire one (1) part time employee in the Highway Department, effective Monday, April 11, 2011 at an hourly rate of \$11.00. This is a budgeted position with funding available in the Highway Department's Operating Budget, Account #003-5142-100-0172.

FURTHER RESOLVED to approve the request for authorization to hire a total of four (4) part time employees in the Parks and GTB Divisions, effective Monday, April 11, 2011 at an hourly rate of \$11.00. These four part time employees will supplement current staff.

FURTHER RESOLVED that funding for these positions is available in Account #001-1620-100-0130.

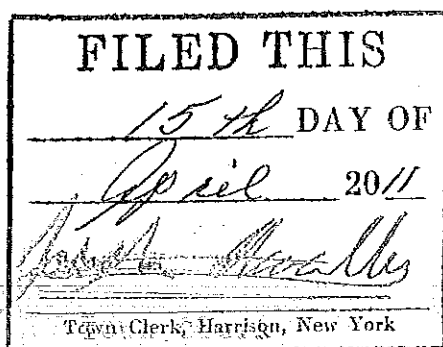
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Comptroller, the Personnel Manager and the Town Attorneys.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None



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April 7, 2011

2011 - - 106

APPROVAL FOR P.O. MICHAEL DILAURIA AND P.O. MICHELE DRAGONE
TO ATTEND TASER INSTRUCTOR TRAINING ON JUNE 1ST AND 2, 2011 AT THE
WESTCHESTER COUNTY POLICE ACADEMY IN VALHALLA, NY.
TOTAL COST: \$700

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to approve the Request by Chief of Police Anthony Marraccini for authorization for P.O. Michael DiLauria and P.O. Michele Dragone to attend Taser Instructor Training on June 1st and 2, 2011, at the Westchester County Police Academy in Valhalla, NY, at a cost of \$350 per officer. Total cost \$700. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Comptroller and the Town Attorneys.

Adopted by the following vote:

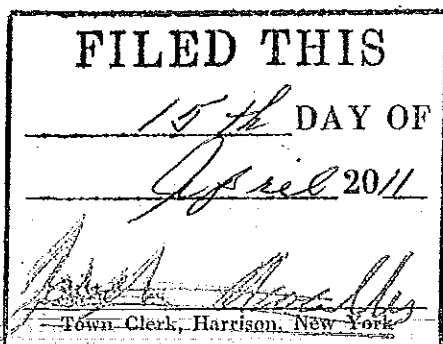
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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Town Clerk

April 7, 2011

2011 -- 107

APPROVAL FOR P.O. ALEXANDRA GRAMIGNA TO ATTEND
THE D.A.R.E. TRAINING, MAY 2nd THROUGH MAY 13, 2011 AT
THE OCEAN DEPARTMENT FIRE AND FIRST AID IN WARETOWN, NJ.
TOTAL COST NOT TO EXCEED \$2,000

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Chief of Police Anthony Marraccini for authorization for P.O. Alexandra Gramigna to attend the D.A.R.E. Training, May 2nd through May 13, 2011 at the Ocean Department Fire and First Aid, 200 Volunteer Way, Waretown, NJ, at a total cost including travel expenses, not to exceed \$2,000. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Comptroller and the Town Attorneys.

Adopted by the following vote:

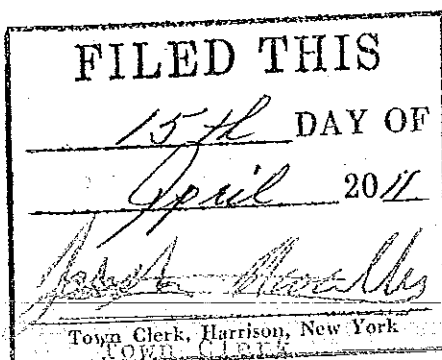
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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April 7, 2011

2011 - - 108

APPROVAL FOR A SPECIAL EVENTS PERMIT, FOR CALVARY HOSPITAL TO HOLD
THEIR "ANNUAL GOLF & TENNIS CLASSIC"
TO BE HELD AT THE BRAE BURN COUNTRY CLUB,
ON MONDAY, AUGUST 1, 2011.

On motion of Councilman Vetere, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Building Inspector Robert FitzSimmons, for approval of Special Events Permit # 11-00019305, for Calvary Hospital to hold their "Annual Golf & Tennis Classic" to be held at the Brae Burn Country Club, on Monday, August 1, 2011.

FURTHER RESOLVED that the \$500 permit fee be waived and insurance is to be submitted at a later date.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, to the Comptroller, the Building Inspector and the Town Attorneys.

Adopted by the following vote:

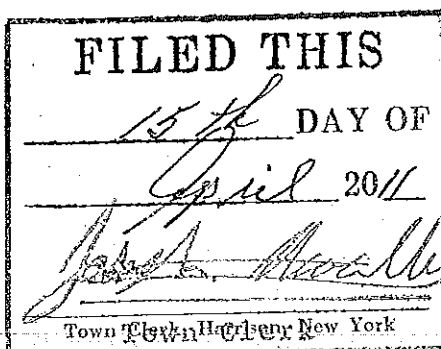
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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April 7, 2011

2011 -- 109

APPROVAL TO EXTEND THE 2009 EMPLOYEE ASSISTANCE PROGRAM
AGREEMENT FOR THE TERM COMMENCING
JANUARY 1, 2010 THROUGH DECEMBER 31, 2014 AND
AUTHORIZATION FOR THE COMPTROLLER TO PAY THE INVOICE OF \$10,010.

Whereas if the Town extends the Employee Assistance Program Agreement for 2010, then the Town should be billed for 286 employees @ \$35. per employee rate. Therefore, the total amount due is \$10,010. Commencing January 2012 the rate will increase to \$40 per employee.

THEREFORE;

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Robert C. Paladino, Village Attorney, to extend the 2009 Employee Assistance Program Agreement for the term commencing January 1, 2010 through December 31, 2014.

Term: 1/1/12 – 12/31/12 the rate will be increased to \$40 per employee.

Term: 1/1/13 – 12/31/14 (2 years) the rate will be increased to \$45 per employee.

FURTHER RESOLVED that the Supervisor be authorized to execute the extension of the Agreement and the Comptroller be authorized to pay the invoice of \$10,010.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

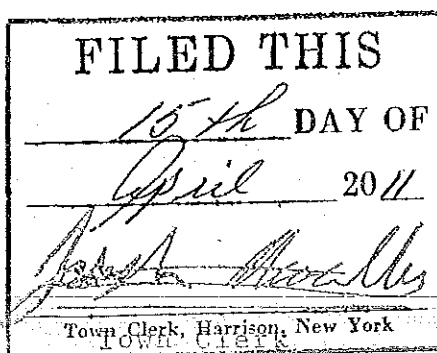
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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April 7, 2011

2011 -- 110

APPROVAL FOR A TOWN BOARD RESOLUTION TO MODIFY THE HARRISON
POLICE DEPARTMENT FALSE ALARM FEES ASSESSED AGAINST OWNERS OR
LESSEES OF PROPERTY UNDER §82-11 OF THE TOWN CODE OF HARRISON.

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Town Attorney Frank Allegretti for authorization for a Town Board Resolution to modify the Harrison Police Department False Alarm Fees assessed by the Police Department against owners or lessees of property under §82-11 of the Town Code of Harrison.

The current fees are as follows:

<u>FEE</u>	<u>CALCULATED</u>
\$ 0	first in each calendar year
\$25	second in each calendar year
\$50	each false alarm over two in each calendar year

The requested false alarm fee schedule is as follows:

<u>FEE</u>	<u>CALCULATED</u>
\$ 0	first and second each calendar year
\$25	third in each calendar year
\$50	each false alarm over third in each calendar year

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Town Clerk and the Town Attorneys.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

15th DAY OF

April 20 11

Town Clerk, Harrison, New York

April 7, 2011

2011 - - 111

APPROVAL FOR THE DIRECTOR OF COMMUNITY SERVICES TO
ACCEPT THE FOLLOWING DONATIONS FOR THE HARRISON FOOD PANTRY

Sam Fanelli, resident addressed the Board on this matter. Mr. Fanelli suggested that when a high valued item is donated to the Food Pantry, the town should sell those items and in return use the money to buy similar items for donations.

Supervisor Walsh responded by explaining the town cannot do that because the items donated have been donated specifically for that purpose.

On motion of Councilwoman Amelio, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept the following donations for the Harrison Food Pantry:

- a-1) VFW Post 347 in the amount of \$100
- a-2) Angelo & Chiara Michilli in the amount of \$100
- b.) A Grant from Oppenheimer Adopt-A-Pantry in the amount of \$900.
- c.) Donation in the amount of \$1,000 from ShopRite Partners in Caring/ShopRite of Scarsdale.

FURTHER RESOLVED that the Board approves the request by the Director of Community Services, Nina Marraccini to accept a donation in the amount of \$250 from Saint Gregory's CYO Basketball and a HPNAP Food Grant totaling \$1,500 to be used as a line of credit at Food Bank for Westchester for the Harrison Food Pantry. The line of credit must be used by June 30, 2011.

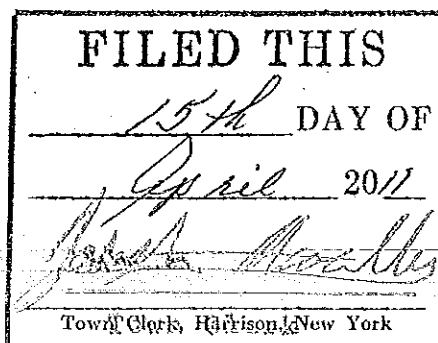
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Community Services and the Town Attorneys.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None



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April 7, 2011

2011 - - 112

APPROVAL TO ADVERTISE AND RECEIVE BIDS FOR THE PURCHASE OF
MISCELLANEOUS SPORTSWEAR FOR THE RECREATION DEPARTMENT

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by the Purchasing Department to advertise and receive bids for the Purchase of Miscellaneous Sportswear for the Recreation Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Purchasing Department, the Comptroller, the Advisor to the Recreation Department and the Town Attorneys.

Adopted by the following vote:

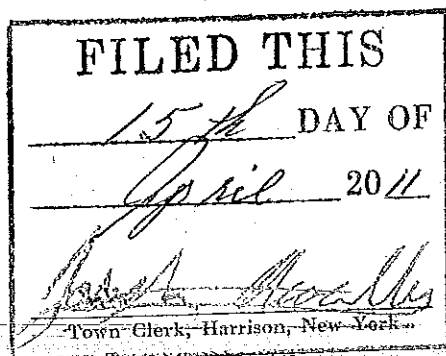
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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April 7, 2011

2011 - - 113

APPROVAL OF THE REQUEST BY ATTORNEY FRANK MCCULLOUGH WITH THE
FIRM OF MCCULLOUGH, GOLDBERGER & STAUDT,
ON BEHALF OF THEIR CLIENT ONE COLONIAL PLACE ASSOCIATES, LLC,
TO BE REFERRED TO THE PLANNING BOARD
RE: THE OWNER OF THE PROPERTY LOCATED AT ONE COLONIAL PLACE,
HARRISON, NY.

Mr. Frank McCullough, with the firm of McCullough, Goldberger & Staudt, LLC, addressed the Board on behalf of his client One Colonial Place Associates, LLC. Mr. McCullough explained that the property in question: One Colonial Place, Harrison, consists of two (2) parcels totaling approximately 0.77 acres of real property located at the intersection of Colonial Place and Purdy Street. Furthermore, the property is located in a Neighborhood Business zoning district. The Property is developed with Emilio's Restaurant, located on the north side of Colonial Place and its related surface parking lot, is located on the south side of Colonial Place. Mr. McCullough explained that his client, the petitioner, is requesting a text change to the Harrison Zoning Ordinance in order to enhance redevelopment opportunities local in the NB District that are within 1,500 feet of the Harrison Train Station. However, this evening, McCullough further explained he was just asking the Town Board to refer the matter to the Planning Board so they may able to review the ordinance and the proposed changes to it.

On motion of Councilwoman Amelio, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Attorney Frank McCullough with the firm of McCullough, Goldberger & Staudt, on behalf of their client One Colonial Place Associates, LLC, for a certain matter to be referred to the Planning Board RE: a requested text change to the Harrison Zoning Ordinance in order to enhance redevelopment opportunities local in the NB District that are within 1,500 feet of the Harrison Train Station.

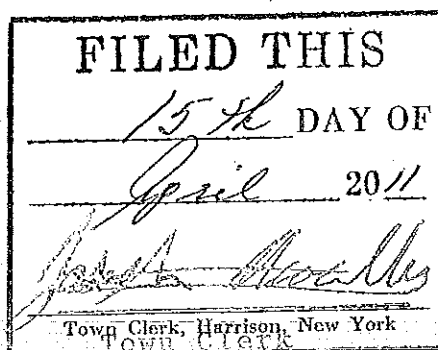
FURTHER RESOLVED to forward a copy of this Resolution to the Planning Board and the Town Attorneys.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None



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April 7, 2011

2011 - - 114

APPROVAL TO THE SET THE DATE OF MAY 5, 2011 FOR A PUBLIC HEARING
RE: PROPOSED LOCAL LAW AMENDING CHAPTER 130 ENTITLED
STORMWATER MANAGEMENT AND EROSIONS AND SEDIMENT CONTROL.

Councilman Sciliano commented that the Department of Public Works and Engineering Department should be commended for their work on Stormwater Management.

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Village Attorney Robert Paladino to the set the date of May 5, 2011 for a Public Hearing RE: Proposed Local Law amending Chapter 130 entitled Stormwater Management and Erosions and Sediment Control.

FURTHER RESOLVED to forward this Resolution to the Town Attorneys.

Adopted by the following vote:

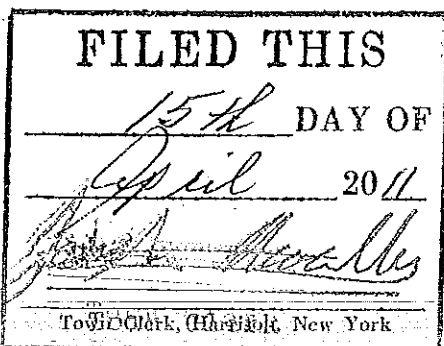
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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April 7, 2011

2011 - - 115

APPROVAL FOR AUTHORIZATION TO AUCTION THIRTY (30) VEHICLES USING
THE ONLINE AUCTION COMPANY, AUCTIONS INTERNATIONAL,
AT NO COST TO THE TOWN.

On motion of Councilman Vetere, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Coordinator of Computer Service Michael Piccini for authorization to auction the following thirty (30) vehicles using the online auction company, Auctions International, at no cost to the town.

CONSTABLE JEEP CHEROKEE VIN# 1J4FJ68S2PL645199
97 OLDS CUTLASS CIERA VIN# 1G3AJ55M2T6408480
2003 FORD CROWN VICTORIA VIN#2FAFP71W23X127040
99 JEEP CHEROKEE VIN#1J4FF28S1XL593171
99 JEEP CHEROKEE VIN#1J4FF28SXXL593167
1992 MACK 25 YARD SANITATION PACKER VIN#1M2P286C0NM011939
1988 544E JOHN DEER LOADER VIN#DW544EB521674
1993 250 BRUSH BANDIT WOOD CHIPPER VIN#6075
1995 FORD L9000 25 YARD SAN. PACKER VIN#1FDZY90L6SVA31799
2003 FORD CROWN VICTORIA VIN #2FAHP71W03X221863
2003 FORD CROWN VICTORIA VIN # 2FAFP71W63X127042 BLOWN MOTOR
2005 FORD CROWN VICTORIA VIN # 2FAFP71W85X170221 BLOWN MOTOR
2007 FORD CROWN VICTORIA VIN# 2FAHP71W37X115106 ACCIDENT
97 CHEVY K2500 PICKUP TRUCK VIN # 1GCGK24E1WE121490
1995 FORD L9000 25 YARD PAK-MOR VIN # 1FDZY901SVA31801
2003 FORD CROWN VICTORIA VIN # 2FAFP71WX3X127044
1999 FORD CROWN VICTORIA VIN # 2FAFP71W1XX152288
2000 CROWN VICTORIA VIN # 2FAFP71W1YX201068
1998 CHEVROLET LUMINA VIN# 2G1WL52M8W9302075
1998 CHEVROLET LUMINA VIN# 2G1WL52M6W9300079
1992 BMW 325I VIN # WBACB4319NFF87872
1998 DODGE PICK-UP TRUCK VIN # 3B7HF12Z4WM291577
1992 CHEVROLET 1500 SUBURBAN VIN # 1GNFK16KXNJ352210
1967 AMERICAN MILITARY TRUCK VIN# 4L4572
2001 HARLEY DAVIDSON FLHPI VIN# 1HD1FHW161Y637977
2004 HARLEY DAVIDSON FLHPI VIN # 1HD1FHW134Y714311
1993 HONDA CIVIC VIN# JHMEG1145PS008889
2004 FORD CROWN VICTORIA VIN # 2FAFP71W74X180321
2001 CHEVROLET LUMINA VIN# 2G1WL52J911296817
1999 CHEVROLET LUMINA VIN # 2G1WL52M9X9267449

FURTHER RESOLVED to forward a copy of this Resolution to the Coordinator of Computer Services, the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
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☐ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
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☐ Supvs'r

FILED THIS

15th DAY OF

April 2011

Town Clerk, Harrison, New York

April 7, 2011

2011 - - 116

APPROVAL FOR THE 2010 YEAR END BUDGET TRANSFERS.

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Comptroller Maureen Mackenzie for the following 2010 Year End Budget Transfers:

Increase:

001-9000-100-0860	850,371
Town Employee Benefits-Major Medical	

Decrease:

001-1900-100-4430	166,708
Special Items-Gen'L Liability-Self Insurance	

001-1900-100-4431	82,706
Special Items-Legal/Other/Genliab/Selfins	

001-1900-100-4436	13,017
Special Items-Insurance Premiums	

001-3120-100-0120	157,103
Police-Overtime	

001-9000-100-0880	16,165
Town Employee Benefits-Welfare Benefits	

001-3120-100-0860	340,160
Police-Major Medical	

001-3120-100-0876	16,875
Police-Optical Reimbursement	

001-3120-100-0830	26,071
Police-Social Security	

001-3120-100-0870	11,871
Police-Dental Plan	

001-1900-100-4406	19,695
Special Items Masterplan Update	

850,371

To cover budget line overages in 2010

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- ☐ Assessor
- ☐ Benefits
- ☐ Bldg
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- ☒ Engrng
- ☒ Law
- ☐ Police
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- ☐ Recr'tn
- ☒ Supvs'r

FILED THIS

15th DAY OF

April 2011

Town Clerk Harrison, New York

April 7, 2011

2011 - - 117

APPROVAL OF THE 2010 YEAR END BUDGET MODIFICATIONS.

On motion of Councilwoman Amelio, seconded by Councilman Cannella

it was

RESOLVED to approve the request by Comptroller Maureen Mackenzie for the following 2010 Year End Budget Modifications:

Increase:

010-0000-030-3018	1,776
Fire#1 State Aid-Miscellaneous State Aid	

Increase:

010-3410-100-0410	1,776
Fire#1-Materials and Supplies	

Increase:

010-0000-040-4091	10,907
Fire#1-Federal Aid-Miscellaneous Federal Aid	

Increase:

010-3410-100-0410	10,907
Fire#1-Materials and Supplies	

Increase:

011-0000-030-3018	1,776
Fire#2 State Aid-Miscellaneous State Aid	

Increase:

011-3411-100-0102	1,776
Fire#2-Salaries	

Increase:

011-0000-40-4091	10,907
Fire#2 Federal Aid-Miscellaneous Federal Aid	

Increase:

011-3411-100-0102	10,907
Fire#2-Salaries	

To modify the budget for monies received from FEMA for the severe storm and flooding of March 2010

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

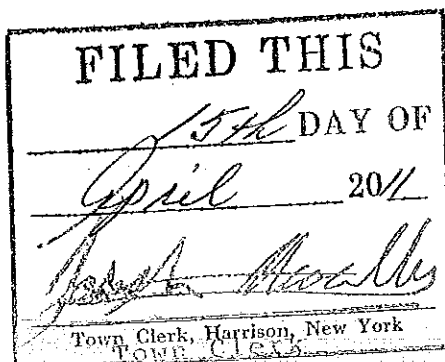
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
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☒ Supvs'r



April 7, 2011

2011 - - 118

APPROVAL FOR THE LOGISTICS COORDINATOR OF BRAKING THE CYCLE
STEVE BRATTON FOR APPROVAL TO TRAVEL THROUGH HARRISON,
SUNDAY, SEPTEMBER 18, 2011

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request by Logistics Coordinator of Braking the Cycle Steve Bratton to travel through Harrison, Sunday, September 18, 2011 to benefit the HIV/AIDS services of New York's LGBT Center. Braking the Cycle is a three-day bicycle ride with approximately 120 riders joining together to raise money and awareness to fight a disease that affects millions of Americans each year, including many in our area.

FURTHER RESOLVED that any fess and costs associated with the use of police and emergency services for the event is the responsibility of the applicant.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police and the Town Attorneys.

Adopted by the following vote:

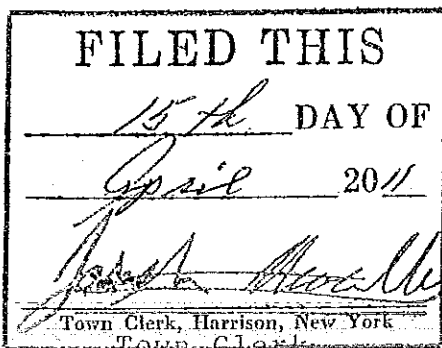
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
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☒ Compt'lr
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April 7, 2011

2011 - - 119

DISCUSSION

RE: MEASURING SOUND DECIBELS FOR NOISE TOWN ORDINANCE

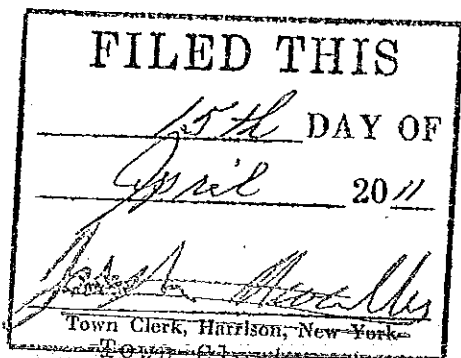
Councilman Fred Sciliano stated that in recent meetings, the subject of noise pollution and noise disturbances has been raised with respect to the question as to whether or not these said noises exceed the town ordinance. Currently, there is no way to enforce said noise ordinance because town officials do not have anyway to determine if the noise exceeds the allowable decibels. After doing some research on the matter, the councilman found a handheld device which measures the sound in the area. This said piece of equipment costs around \$3,000.

Supervisor Joan Walsh responded that she certainly would forward any information on a proposed item to be purchased to the Purchasing Department. The supervisor further explained that she too researched the issue and found that these devices are not like a camera where you simply point and shoot.

Councilwoman Marlane Amelio responded by stating that the supervisor is correct, in that the device measures the decibels in a wide range of area. The councilwoman stated she agreed with Councilman Sciliano in that the issue of determining what is and what is not a noise ordinance should be resolved.

Copies to:

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☐ Recr'tn
☒ Supvs'r



April 7, 2011

2011 - - 120

DISCUSSION

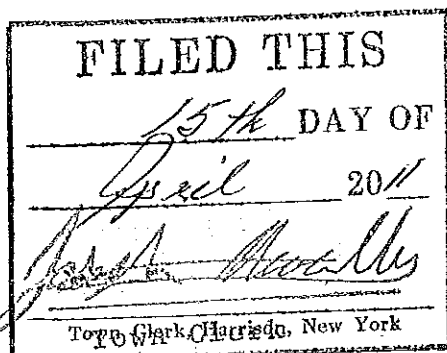
RE: FEDERAL FUNDING FOR A RETAINING WALL ON THE
WINFIELD GLENN MAMARONECK/HARRISON BORDER

Mr. John Katsogridakis, resident, addressed the Board. Mr. Katsogridakis questioned why the Town of Harrison has not applied for funding from the Federal Government to build a retaining wall in the Winfield Glenn area of town to prevent flooding. Mr. Katsogridakis went on to state that the neighboring Town of Mamaroneck has received such funding from the Federal Government which they used to build a wall to alleviate a flooding problem opposite the Winfield Glenn area on their property.

Supervisor Joan Walsh stated she was unaware that Mamaroneck had received such funding and further explained that she does not believe a retaining wall will solve the flooding problem in the area where Mr. Katsogridakis is speaking about. The Army Corp of Engineers has conducted a five year study in the Mamaroneck area border to determine the cause of the flooding and offer the best solution to the problem.

Copies to:

- ☐ Assessor
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- ☒ Engrng
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- ☒ Purch'g
- ☒ Recr'tn
- ☒ Supvs'r



April 7, 2011

2011 - - 121

DISCUSSION

RE: COST OF OFF STREET PUBLIC PARKING

Emil Toso, resident, addressed the Board. Mr. Toso explained that over the past few years the Board and the public have discussed various ways to trim the budget. One suggestion that has not been discussed is the off street parking lots in town. Mr. Toso contends that the taxpayers have bared the cost of these parking lots because the business owners have not been able to provide a sufficient number of parking spaces for their consumers. Furthermore, because there is no cost to park in these spots, a significant amount of potential revenue is being lost. Mr. Toso also contended that the Harrison Parking Authority was created to bring in such funding just as our surrounding communities have done with their Parking Authority Commissions. When reviewed, each space in these lots has the potential of generating \$50,000 in revenue. That in turn is a total of \$14 million dollars for the budget. Mr. Toso further stated that he has been looking to speak with the members of the Parking Authority Commission however he was told the meetings are private and closed.

Supervisor Joan Walsh responded by stating they have not had a Parking Authority meeting since she has been in office.

Councilman Pat Vetere questioned if Mr. Toso wished to be on the Parking Authority Commission.

Councilman Joseph Cannella responded by stating that it is impossible for Mr. Toso to be a member of the Parking Authority Commission because the Town Board members make up the Parking Authority Commission furthermore, the commission has had at least one meeting since the supervisor has been in office. The councilman further stated that the Parking Authority was created not for the purpose to bring in revenue from the parking spaces like our neighboring communities, but rather it was created to move forward with the MTA project proposal.

Supervisor Walsh explained that she did not want to put another burden on the business owners in town given the current economy. Just today the supervisor stated she heard two other businesses in town were going out of business.

Mr. Toso stated every other municipality has some form of paid parking and Harrison does not. Every resident and business has taken a financial hit lately and something must be done.

Councilman Cannella stated that he appreciated Mr. Toso's comments but however having a paid parking system of any kind is an economic burden and given the current recession we cannot place another financial burden on the town businesses.

Copies to:

- ☐ Assessor
- ☐ Benefits
- ☐ Bldg
- ☒ Compt'r
- ☒ Engrng
- ☒ Law
- ☐ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☒ Recr'tn
- ☒ Supvs'r

FILED THIS

15th DAY OF

April 2011

Town Clerk, Harrison, New York

April 7, 2011

2011 -- 122

DISCUSSION

RE: CURBSIDE GARBAGE COLLECTION

Roy Porto, resident, addressed the Board in opposition to the change of policy in which residents must now bring their garbage curbside instead of having the sanitation workers collecting it from the side of or back of the home. Mr. Porto contended that not only is it difficult for many residents to bring the garbage cans to the curb for pickup, this change in policy has created eye sores all over the community, now that garbage from each residence is piled high and lined up along the streets. Furthermore, the residents are not accustomed to living in a community that looks like this and Mr. Porto asked the Board to review this policy again. Mr. Porto used the neighboring community of Scarsdale as an example of what he believes is a good policy which requires each residence to place their garbage in certain areas on the side of or back of the home away out of sight.

Commissioner of Public Works Anthony Robinson addressed Mr. Porto's concerns and explained the history of the change in this policy. A year or so ago the DPW was asked (under Commissioner Wasp at the time) to make cuts in the budget. Significant savings' were identified with two proposals: the first was to shorten garbage routes and second to make cutbacks in manpower. It was further determined that if both were done, curbside pickup would need to be enacted in order to balance out the daily operations.

Mr. Porto questioned why the Board went after the garbage collection.

Supervisor Walsh responded by stating the town looked at every budget item and is still looking for more ideas.

Ms. Naomi Oppman, resident, addressed the Board and stated that the DPW does a great job with the town services. Furthermore, Ms. Oppman stated if you would like to compare our town to other communities, some towns also have to bag their own leaves themselves and Harrison does not. The point being that if you are going to compare Harrison to other towns you have to look at the whole picture.

Mrs. Lucille Held, resident addressed the Board and contended that she was not getting the services she deserves for the taxes that she pays. In addition, Mrs. Held stated that she has reviewed the school budget and has spoken with the Superintendent of Schools Lou Wool about sharing expenses with the town. Mrs. Held explained that the school refuses to pay for certain expenses such as the DARE program which puts the cost burden on the town.

Councilman Joseph Canella responded to set the record straight by explaining that the town pays for certain costs that the school would not ordinarily incur if the town had not been using the school facilities, such as the cost of custodial staff, electricity etc. The councilman further stated that the school and the town have a reciprocal sharing relationship for a variety of services.

Copies to

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FILED THIS

15th DAY OF

April 2011

Town Clerk, Harrison, New York

April 7, 2011

2011 -- 123

MATTERS FOR EXECUTIVE SESSION

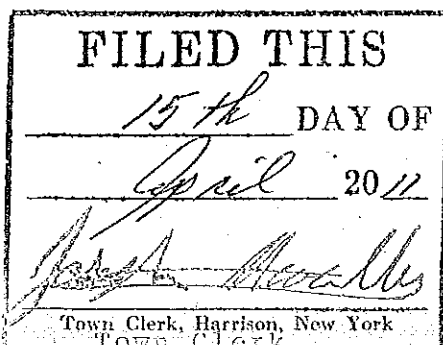
Contract Negotiations	2
Advice of Counsel	1
Settlement of Tax Certioraris	8
Litigation	1
Personnel	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed at 8:28 PM.

On motions duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 9:50 PM.

Copies to:

<input type="checkbox"/>	Assessor
<input type="checkbox"/>	Benefits
<input type="checkbox"/>	Bldg
<input checked="" type="checkbox"/>	Compt'lr
<input checked="" type="checkbox"/>	Engrng.
<input checked="" type="checkbox"/>	Law
<input checked="" type="checkbox"/>	Police
<input checked="" type="checkbox"/>	P. Wrks
<input checked="" type="checkbox"/>	Purch'g
<input checked="" type="checkbox"/>	Recr'tn
<input type="checkbox"/>	Supvs'r



April 7, 2011

2011 - - 124

APPROVAL TO RAISE THE CAP IN LEGAL FEES
IN THE MATTER OF SANEZ V. TOWN OF HARRISON

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Town Attorney Frank Allegretti to raise the cap in legal fees in the matter of Sanez v. Town of Harrison from \$75,000 to \$110,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

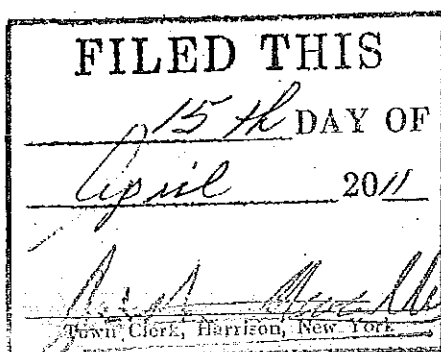
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- ☐ Assessor
- ☐ Benefits
- ☐ Bldg
- ☒ Compt'r
- ☒ Engrng
- ☒ Law
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- ☐ Recr'tn
- ☒ Supvs'r



April 7, 2011

2011 - - 125

APPROVAL TO RENEW THE PRISONER TRANSPORTATION AGREEMENT
(IMA AGREEMENT) WITH WESTCHESTER COUNTY
FOR THE YEARS 2011 & 2012

On motion of Councilman Vetere, seconded by Councilman Sciliano,

it was

RESOLVED that;

The County will reimburse Harrison for prisoner transportation with the following rate increases which reflects a 3.5% increase for each year:

Round Trip

2011	\$207.12
2012	\$214.37

The County will also reimburse Harrison for mileage at the rate of 51 cents per mile, as may be amended by the Internal Revenue Service from time to time, and for the actual and reasonable costs of meals to post-arraignment prisoners.

Reimbursement will be for:

Transport to the County Jail subsequent to arrest – **1 round trip plus mileage;**

Transport from the County Jail to local court – no return – **1 round trip plus mileage;**

Transport from the County Jail to local court; remand to County Jail where the transportation time expended does not exceed three (3) hours – **2 round trips plus mileage**

Only in the following circumstances will an hourly rate and mileage fee be paid:

- a. Transportation of female prisoners (1 officer and 1 matron). A minimum of four (4) hours will be reimbursed for a matron; or
- b. Transportation of (7) or more prisoners (requiring an additional officer); or
- c. transportation of prisoners charged with Class A felonies OR classified by Dept. of Corrections as an "A" or "AA" prisoner considered to present danger may warrant an additional officer; or
- d. Transportation from County Jail to local court and remand to County Jail where actual transportation time expended exceeds three (3) hours.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Chief of Police and the Town Attorneys.

Adopted by the following vote:

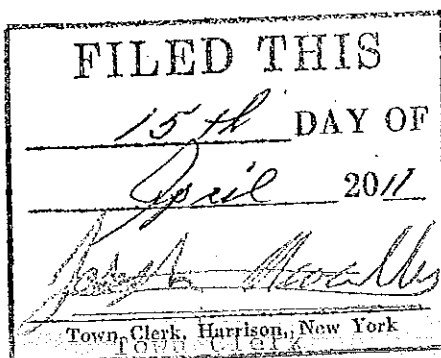
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- ☐ Assessor
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- ☐ Bldg
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- ☒ Engrng
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April 7, 2011

2011 -- 126

APPROVAL TO ENTER INTO A FIVE (5) YEAR AGREEMENT WITH
THE OUTDOOR MARKETPLACE IN WEST HARRISON
WITH CERTAIN TERMINATION AND CANCELABLE FOR CAUSE PROVISIONS

On motion of Councilman Vetere, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the Town of Harrison to enter into a five (5) year agreement with the Outdoor Marketplace in West Harrison.

FURTHER RESOLVED that there be certain termination and cancelable for cause provisions in the agreement.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys.

Adopted by the following vote:

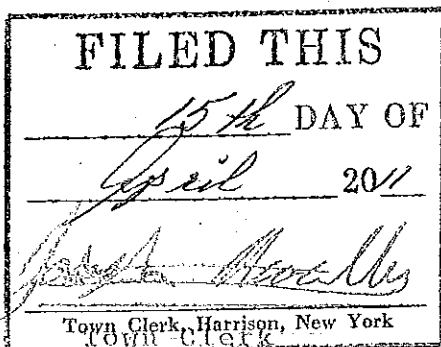
AYES: Councilpersons Amelio and Vetere
Supervisor Walsh

NAYS: Councilpersons Cannella and Sciliano

ABSENT: None

Copies to:

___ Assessor
___ Benefits
___ Bldg
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✓ Engrng
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✓ P. Wrks
✓ Purch'g
___ Recr'm
✓ Supvs'r



April 7, 2011

2011 - - 127

APPROVAL TO SETTLE THE TAX CERTIORARI
SAVIANO, 4 SADDLETREE LANE
BLOCK 302, LOT 142

On motion of Councilman Vetere, seconded by Councilwoman Amelio,

it was

RESOLVED to settle the tax certiorari in the matter of Saviano, 4 Saddletree Lane, Block 302, Lot 14 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010 Town/County Tax Year 2011 School District Tax Year 2011-12	19,500	5,000

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorneys.

Adopted by the following vote:

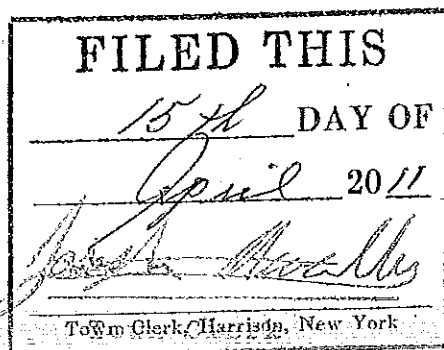
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'r
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☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r



April 7, 2011

2011 - - 128

APPROVAL TO SETTLE THE TAX CERTIORARI
AMANJEN REALTY
12 GENESSEE
BLOCK 441, LOT 34

On motion of Supervisor Walsh, seconded by Councilman Sciliano,

it was

RESOLVED to settle the tax certiorari in the matter of Amanjen Realty, 12 Genessee, Block 441, Lot 34 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010 Town/County Tax Year 2011 School District Tax Year 2011-12	16,800	1,500

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorneys.

Adopted by the following vote:

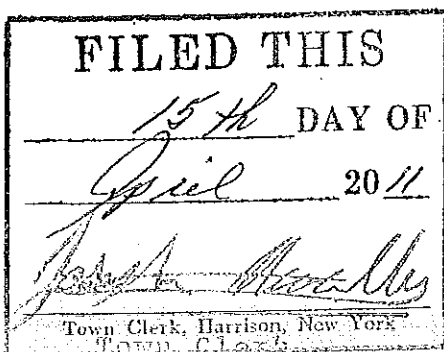
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

___ Assessor
___ Benefits
___ Bldg
✓ Compt'r
✓ Engrng
✓ Law
___ Police
✓ P. Wrks
✓ Purch'g
___ Recr'tn
✓ Supvs'r



April 7, 2011

2011 - - 129

APPROVAL TO SETTLE THE TAX CERTIORARI

A & L PROPERTIES

134-136 BRADFORD

BLOCK 375, LOT 32

On motion of Councilman Sciliano, seconded by Councilman Vetere,

it was

RESOLVED to settle the tax certiorari in the matter of A&L Properties, 134-136 Bradford, Block 375, Lot 32 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010	15,500	1,500
Town/County Tax Year 2011		
School District Tax Year 2011-12		

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys and the Assessor.

Adopted by the following vote:

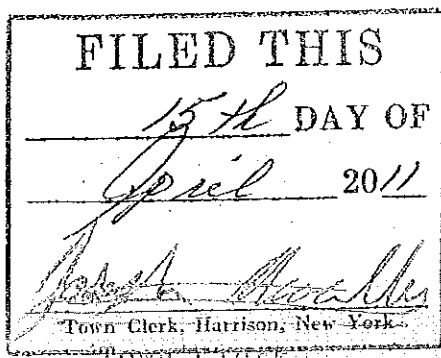
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
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☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r



April 7, 2011

2011 - - 130

APPROVAL TO SETTLE THE TAX CERTIORARI

A & L PROPERTIES

125-127 TEMPLE

BLOCK 375, LOT 5

On motion of Councilman Sciliano, seconded by Councilman Vetere,

it was

RESOLVED to settle the tax certiorari in the matter of A&L Properties, 125-127 Temple, Block 375, Lot 5 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010	15,900	1,800
Town/County Tax Year 2011		
School District Tax Year 2011-12		

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorneys.

Adopted by the following vote:

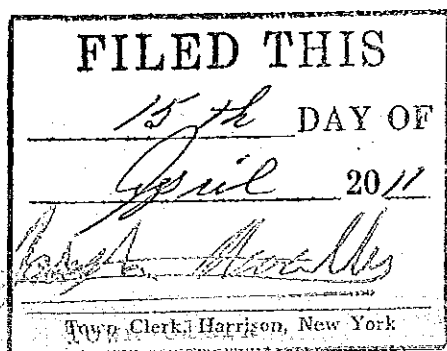
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
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☐ Police
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☒ Purch'g
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☒ Supvs'r



April 7, 2011

2011 -- 131

APPROVAL TO SETTLE THE TAX CERTIORARI

3 G PROPERTIES

140-142 ROCKWELL

BLOCK 373, LOT 37

On motion of Councilman Vetere, seconded by Councilman Sciliano,

it was

RESOLVED to settle the tax certiorari in the matter of 3G Properties, 140-142 Rockwell, Block 373, Lot 37 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010 Town/County Tax Year 2011 School District Tax Year 2011-12	16,000	2,700

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorneys.

Adopted by the following vote:

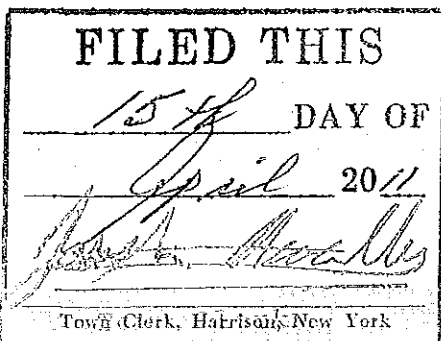
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r



April 7, 2011

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APPROVAL TO SETTLE THE TAX CERTIORARI
3G PROPERTIES
93-95 CLIFFORD
BLOCK 372, LOT 15

On motion of Councilman Vetere, seconded by Councilman Sciliano,

it was

RESOLVED to settle the tax certiorari in the matter of 3G Properties, 93-95 Clifford, Block 372, Lot 15 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010 Town/County Tax Year 2011 School District Tax Year 2011-12	14,400	1,150

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorneys.

Adopted by the following vote:

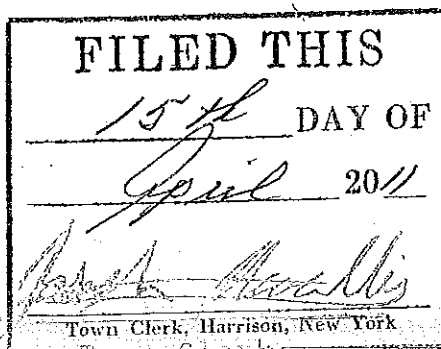
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'tn
☐ Supvs'r



April 7, 2011

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APPROVAL TO SETTLE THE TAX CERTIORARI

ELENA DUKE BENEDICT

4400 PURCHASE STREET

BLOCK 981, LOT 41

On motion of Councilman Vetere, seconded by Councilman Sciliano,

it was

RESOLVED to the settle the tax certiorari in the matter of Elena Duke Benedict, 4400 Purchase Street, Block 981, Lot 41 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010 Town/County Tax Year 2011 School District Tax Year 2011-12	52,700	38,200
2009 Town/County Tax Year 2010 School District Tax Year 2010 - 2011	52,700	33,050
2008 Town/County Tax Year 2009 School District Tax Year 2009 - - 2010	52,700	15,250

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorneys.

Adopted by the following vote:

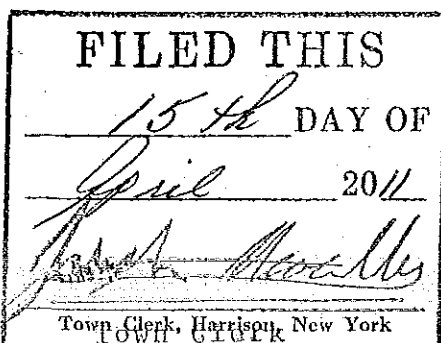
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r



April 7, 2011

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APPROVAL TO SETTLE THE TAX CERTIORARI

500 MAMARONECK AVENUE

BLOCK 482, LOTS 8-26 & 26.1

On motion of Councilman Sciliano, seconded by Councilman Vetere,

it was

RESOLVED to settle the tax certiorari in the matter of 500 Mamaroneck Avenue,
Block 482, Lots 8-26 & 26.1 as follows:

<u>Assessment</u> <u>Year</u>	<u>Assessed</u> <u>Value</u>	<u>Reduction</u>
2010 Town/County Tax Year 2011 School District Tax Year 2011-12	800,000	125,000
2009 Town/County Tax Year 2010 School District Tax Year 2010 - 2011	800,000	50,000
2008 Town/County Tax Year 2009 School District Tax Year 2009 - - 2010	962,000	162,000

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorneys.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

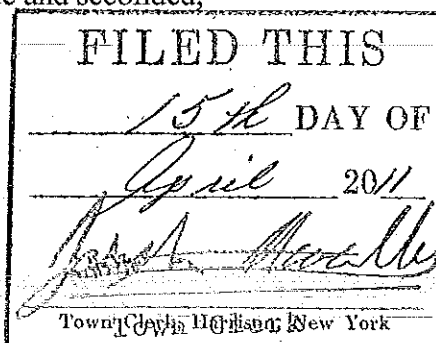
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was on motions duly made and seconded,
declared closed at 9:55 PM.

Respectfully submitted,

Joseph Acocella
Town Clerk



Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'r
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r